

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NAEGELI REPORTING CORPORATION
d.b.a. NAEGELI DEPOSITION AND TRIAL,

Plaintiff,

v.

BRANDE BROWNE,

Defendant.

ORDER

19-cv-687-jdp

Plaintiff Naegeli Reporting Corporation d.b.a. Naegeli Deposition and Trial filed this suit for breach of contract, contending that the court has jurisdiction under 28 U.S.C. § 1332. Dkt. 2. For the court to exercise jurisdiction under § 1332, the parties must be citizens of different states and the amount in controversy must exceed \$75,000. Naegeli alleges that defendant Brande Brown is a resident of Wisconsin, but allegations of residency are not sufficient to establish citizenship. Citizenship is determined by domicile, which is where the party intends to live for the long term. *Myrick v. WellPoint, Inc.*, 764 F.3d 662, 664 (7th Cir. 2014). Regarding the amount in controversy, a plaintiff must make a good-faith estimation of its lawsuit's value. *Macken ex rel. Macken v. Jensen*, 333 F.3d 797, 800 (7th Cir. 2003). Naegeli's complaint alleges that due to Browne's failure to deliver a single deposition transcript, it has suffered or may suffer losses of over \$100,000. But Naegeli's damages allegations—"loss of business, profit, and good will"—are too vague to support this allegation. Naegeli may have until September 18, 2019, to file and serve an amended complaint containing good-faith allegations sufficient to establish complete diversity of citizenship and an amount in controversy exceeding \$75,000. The court will dismiss the case for lack of jurisdiction if plaintiff does not file an amended complaint by the deadline.

Entered September 4, 2019.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge